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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/000,349	12/04/2001	Shigekazu Nagai	CS-49-011204	9728

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EXAMINER

STEFANON, JUSTIN

ART UNIT PAPER NUMBER

3682

DATE MAILED: 02/06/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/000,349

Applicant(s)

NAGAI ET AL.

Examiner

Justin Stefanon

Art Unit

3682

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 December 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Drawings

1. Figures 12 and 13 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 2-4 and 6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 2, 3, and 4 recite the limitation "said feed screw shaft mechanism being assembled into a a single unit" in lines 7-8 of each claim. This limitation has already been claimed in lines 5-6 of claim 1. The single unit of claims 2-4 is the same as the single unit of claim 1, and should be distinctly claimed as such.

Claim 6 recites the limitations "said plate, said cover, and said return guide" in lines 4-5 and again on lines 7-8. There is insufficient antecedent basis for this limitation in the claim. The antecedent refers to "plates..covers..and return guides." In lines 4-5, the phrase "and said plate, said cover, and said return guide, which are disposed on one side" should be replaced with --and those of said plates, said covers, and said

Art Unit: 3682

return guides[,] which are disposed on one side--. In lines 7-8, the phrase "those of said plate, said cover, and said return guide which are disposed on other side" should be replaced with --those of said plates, said covers, and said return guides which are disposed on another side--.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-10 are rejected under 35 U.S.C. 102(b) as being anticipated by US Pat. No 5,484,051 to Nagai et al.

Nagai et al. disclose an actuator comprising: a frame; 16 a feed screw shaft 38 and nut 52; a slider 50 having an opening which extends in an axial direction and defines a U-shaped inner surface; a guide mechanism 22, 24, 56a, 56b; and a rotary driving source. Said feed screw nut has a penetrating screw hole and a cylindrical section, the feed screw shaft mechanism including a bearing holding member 54, a bearing mechanism 58a, 548b, a housing 34 for supporting said rotary driving source, and an end plate 26. The feed screw nut has a pair of flange sections fixed to a side surface of the slider, as seen in Figures 2 and 3. The guide mechanism includes plates 46, covers 48 which are connected to said slider, and return guides 22, 24 which are installed to side surfaces of said slider, and those of said plates, said covers, and said return guides which are disposed on one side in an axial direction of said slider, are

composed of the same constitutive components as those of said plates, said covers, and said return guides which are disposed on another side in said axial direction of said slider. The slider has a rectangular hole, at the top of the U-shaped inner surface which penetrates from said opening to said frame. A sensor, disclosed in columns 4-5 lines 64-2, is attached to one side surface on an outer side of said frame with an attachment member, i.e. via the guide mechanism, and detects an object, i.e. the motor housing 34, which is displaceable in unison with said slider.

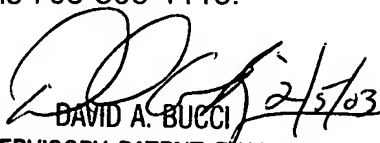
Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The prior art includes several actuators with sliders having U-shaped inner surfaces and with sensors mounted in various positions.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Justin Stefanon whose telephone number is 703-305-1945. The examiner can normally be reached on Monday - Thursday 6 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Bucci can be reached on 703-308-3668. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9326 for regular communications and 703-872-9327 for After Final communications. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

js
February 5, 2003


DAVID A. BUCCI 2/5/03
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600